



Demovsky Lawyer Service
Premier Nationwide Document Retrieval
and Process Service Company

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

-----X
TRUSTEES OF THE MASON TENDERS DISTRICT
COUNCIL WELFARE FUND, et., et al.,

Plaintiff(s),

-against-

AFFIDAVIT OF SERVICE
08 CV 02137

SAFEWAY ENVIRONMENTAL CORP.,

Defendant(s).

-----X
STATE OF NEW YORK)
S.S.:
COUNTY OF ALBANY)

DEBORAH LaPOINTE, being duly sworn, deposes and says that she is over the age of eighteen years, is employed by the attorney service, D.L.S., INC., and is not a party to this action.

That on the 6TH day of March, 2008, at approximately the time of 1:00P.M., at the office of the Secretary of State, of the State of New York in the City of Albany, New York, deponent served the SUMMONS AND COMPLAINT AND INDIVIDUAL RULES OF JUDGE PAULEY AND USDC/SDNY 3RD AMENDED INSTRUCTIONS FOR FILING AN ELECTRONIC CASE FILING upon SAFEWAY ENVIRONMENTAL CORP., the defendant in this action, by delivering to and leaving with CAROL VOGT an agent of the Secretary of State, of the State of New York, two (2) true copies thereof and at that time of making such service deponent paid said Secretary of State a fee of forty dollars. That said service was made pursuant to Section, 306 Business Corporation Law.

Deponent further says that she knew the person so served as aforesaid to be the individual in the Office of the Secretary of State of New York, duly authorized to accept such service on behalf of said defendant.

CAROL VOGT is a white female, approximately 54 years of age, stands approximately 5 feet 3 inches tall, weighs approximately 105 pounds with brown hair and wears glasses.

D.L.S., Inc.
100 State St.
Ste 220
Albany, NY 12207
800-443-1058
www.dlsny.com

Deborah LaPointe
DEBORAH LAPOINTE
Sworn to before me this
7TH day of March, 2008

NOTARY PUBLIC

FRANK J. PANUCCI
Notary Public, State of N.Y.
Qualified in Albany Co.
Reg. No. 4721156
Commission Expires July 31, 2010